REMARKS/ARGUMENTS

Applicant has amended the claims to correct grammatical errors and clarify certain claim language. Applicant submits that the amendments are nonsubstantive and therefore do not require further searching. Accordingly, Applicant requests that the amendments be entered.

The Examiner rejects claims 1, 3, 5-8, 10-11, 13-17, 19, 21-24, 26-27, 29-31, 36, 37, 39, 41-44, 46-47, and 49 under 35 U.S.C.§102(e) as being anticipated by Olivier (U.S. 6,480,885); claims 2, 4, 18, 20, 38, and 40 under 35 U.S.C.§103(a) as being unpatentable over Olivier in view of Clarke, et al. (U.S. 2003/0065727A1), claims 9, 25, and 45 under 35 U.S.C.§103(a) as unpatentable over Olivier in view of Tsuei (U.S. 6,654,779), and claims 12, 28, and 48 under 35 U.S.C.§103(a) as being unpatentable over Olivier in view of Canale, et al. (U.S. 5,619,648).

The cited references do not teach the following italicized limitations of the pending independent claims:

> 1. A method for processing an electronic message, comprising:
> receiving a message from a sender, the message comprising at least one recipient to receive the message and *including at least one of (a) a restriction identifier identifying a subset of recipients from among a larger set of possible recipients and (b) an access restriction indicating a subset of points of access, from among a larger set of points of access, to access the message*;
> determining whether each identified at least one recipient is within the subset of recipients corresponding to the restriction identifier; and wherein at least one of the following steps is performed:
> (i) *when the message comprises the restriction identifier and an identified at least one recipient is not within the subset of recipients, at least one of (A) not providing access to the message to the identified at least one recipient who is not in the subset of recipients and (B) notifying the sender that an identified at least one recipient is not within the subset of recipients; and*
> (ii) *when the message comprises the access restriction and an identified at least one recipient attempts to access the message from a point of access not within the subset of points of access, not providing access to the message to the identified at least one one recipient whose point of access is not within the subset of points of access.*

16.   A method for processing an electronic message, comprising:
       receiving at least part of a message inputted by a user, the at least part of a message comprising at least one recipient to receive the message;
       receiving, from the user, a *restriction identifier* for the at least part of a message, the *restriction identifier* identifying a subset of recipients from among a larger set of possible recipients; and
       when a *restriction identifier* is received, *tagging the message with the restriction identifier*.

36.   A server for processing an electronic message, comprising:
       an input operable to receive at least part of a message inputted by a user, the at least part of a message comprising at least one recipient to receive the message and a *restriction identifier* for the at least part of a message, the *restriction identifier* identifying a subset of recipients from among a larger set of possible recipients; and
       when a restriction identifier is received, *a processor operable to tag the message with the restriction identifier*.

U.S. 6,480,885 to Olivier

Olivier is directed to a method for enabling users to exchange group electronic mail by establishing individual profiles and criteria, for determining personalized subsets within a group. *Users establish subscriptions to an electronic mailing list by specifying user profile data and acceptance criteria data to screen other users.* When a user subscribes, a web server establishes and stores an individualized recipient list including each matching subscriber and their degree of one-way or mutual match with the user. When the user then sends a message to the mailing list, an email server retrieves 100% her matches and then optionally filters her recipient list down to a message distribution list *using each recipient's message criteria.* The message is then distributed to matching users. The user may specify acceptance criteria in the matching algorithm. The matching algorithm may be facilitated by including, in the email body or subject line, a keyword in brackets such as "[for sale]".

Additionally, email archives and information contributions from users are stored in a database. A web server creates an individualized set of web pages for a user from the database, containing contributions only from users in his recipient list. In other embodiments, users apply one-way or mutual criteria matching and message profile criteria to other group forums, such as web-based discussion boards, chat, online clubs, USENET newsgroups, voicemail, instant messaging, web browsing side channel communities, and online gaming rendezvous.

The user can exclude particular subscribers and subjects from his interactions.

The user can override subscription settings when sending a message. The subscription settings are treated as "default settings", and the user can override any of the settings when sending a message. The user could specify this through additional codes in his email message body, or by using a web form when sending the message. The web form would include access to override those settings. The subscription matching process described in FIG. 5B and its related text are used to determine the distribution list for the present message being sent. The settings are not stored as the user's permanent settings. An example use is in a neighborhood mailing list for a user to send out a "for sale" message to neighbors within 10 miles of him, overriding his usual acceptance criteria data of neighbors within 3 miles of him. This feature would have to exist in conjunction with the previous feature, controlling delivery of reply email messages, so that recipients can answer to the same group.

The system of Olivier is applicable to voice mail.

<u>U.S. 2003/0065727 to Clarke, et al.</u>

Clarke, et al., is directed to systems and methods for providing secured messaging in a communications network environment. The network environment may include public communication channels or networks, such as the Internet. Embodiments of the invention may be implemented to facilitate secured electronic messaging between any combination of entities, such as one or more customer locations and a message center. Further, consistent with embodiments

of the invention, arrangements may be provided to permit the servicing of customers within a network environment that integrates legacy systems associated with a message center.

U.S. 6,654,779 to Tsuei

Tsuei is directed to a system and methods for managing Internet e-mail address changes, particularly useful for situations where subscribers change Internet service providers. A computer system manages a database of stored records correlating a first e-mail address of an intended recipient, e.g. an old e-mail address, to a second e-mail address, e.g. a new e-mail address of the intended recipient. A program module in the computer system is responsive to an Internet query for accessing the database to determine whether a second e-mail address of the intended recipient is stored in association with a first e-mail address. Another program module is operative for providing the second e-mail address as a response to the query. The query response is communicated to the sender or to the sender's ISP so that an undeliverable message can be resent to the new e-mail address. Also provided are security and authentication measures for ensuring that address change requests are valid and authentic.

U.S. 5,619,648 to Canale, et al.

Canale, et al., is directed to techniques for reducing the amount of junk e-mail received by a user of an e-mail system. A recipient description containing non-address information is added to an e-mail message. The user has an e-mail filter which has access to information which provides a model of the user. The e-mail filter uses the non-address information and the model information to determine whether the e-mail message should be provided to the user. The e-mail filter further has access to information which provides models of the user's correspondents. If the filter does not provide the message to the user, it uses the non-address information and the model information of the user's correspondents to determine who the message might be forwarded to. A

sender of e-mail can also use the model information of the sender's correspondents together with the non-address information to determine who the message should be sent to. The techniques are used in a system for locating expertise.

A mail item of the type used in the invention is shown at 119; mail item 119 is a standard e-mail message except for two additional components:

1. recipient specifier 121 which uses non-address information to further describe the recipients who should receive the e-mail; and

2. referral list 127, which is a list of potential recipients who passed the e-mail on and of recipients to whom the e-mail was provided.

Recipient specifier 121 has two parts, recipient type field 123, which generally indicates how recipient specifier 121 is to be interpreted, and recipient description 125, which contains the non-address information which is actually used to determine whether mail item 119 is to be provided to a given recipient.

At col. 3, line 56, to col. 4, line 8, Canale, et al., teaches that the sender can control forwarding of the email. However, "forwarding" as used in this passage refers not to the ability of a recipient of an electronic mail to forward the email to others but rather to the forwarding of emails of user 105(n), by the user's corresponding mail filter 109, to other users.

In general, the above references, taken either alone or in combination, fail to teach or suggest (a) the use of restriction identifiers to prevent electronic mail distribution to a recipient designated by the sender, (b) the use of restriction identifiers to prevent access of electronic mail from a set of communication devices otherwise associated with a recipient, and (c) the use of restriction identifiers to limit the ability of an electronic mail recipient to forward the received electronic mail to others.

None of the references provide the sender with the ability to limit distribution of his message. As discussed in the specification of the subject application, the restriction identifier of the present invention can be a forwarding restriction indicating one or both of whether or not the message may be forwarded and to whom the message may be forwarded. The identifier can also be an access restriction indicating that the message may be accessed only from predetermined points of access, such as points of access internal to a network. The restriction identifier can also refer to other conditions besides class of eligible recipients. For example, the identifier can be an age restriction specifying an age limit of the message. In contrast and with reference at least to col. 3, lines 11-13 and 38-39, col. 4, lines, 50-52, and col. 5, lines 18-22, it is abundantly clear that in Oliver, it is the end user, i.e., recipient, that is specifying the acceptance criteria data - not the sender as set forth in Independent Claims 1, 16 and 36. Similarly, in Canale, while a recipient specifier is discussed, it does not restrict access to a communication in a manner similar to that claimed, but is rather used by a mail filter at the "recipient" to determine whether the recipient desires to receive the message.

Notwithstanding the above discussion, the Examiner, in the final Office Action, states that the proffered distinctions between the cited prior art and pending claims are not persuasive as they are present in the cited references. Specifically, at pages 2-3 of the Final Office Action the Examiner states:

(A) The use of restriction identifiers to prevent electronic mail distribution to a recipient *designated by the sender* is disclosed at item 524 of Fig. 9 and col. 12, lines 59-65, of Olivier. At the cited text, Olivier teaches that, when a message is received from an unknown user, the unknown user's profile and criteria data is embedded in the email message. Block 524 is the profile and criteria data portion of the message, containing all necessary data for cross-matching the unknown user with the known subscribers. This text fails to teach feature A.

(B) The use of restriction identifiers to prevent access of electronic mail from a set of communication devices otherwise associated with a recipient is disclosed at Fig. 9, col. 3, lines 17-22, col. 5, lines 47-49, and col. 12, lines 59-65 of Olivier. Olivier makes clear that a

"recipient" refers to a person or subscriber and not a device. Thus, Olivier teaches that a matching subscriber is forwarded the email, even if not addressed specifically to the subscriber. Olivier does *not* distinguish between *which* of the matching subscriber's devices receives the email let alone specify that the matching subscriber cannot access the message at some of that subscriber's message retrieval nodes.

(C) The use of restriction identifiers to limit the ability of an electronic mail recipient to forward the received electronic mail to others and forwarding the restriction on the message itself is disclosed by Olivier (which discloses the general concept of a restriction identifier) and Canale (which teaches the limitation of the forwarding restriction being on the message itself). As noted above, Olivier and Canale do not teach a restriction identifier that impacts *negatively* who is eligible to receive the message. At col. 4, lines 1-9, Canale teaches that the sender can select which of a list of recipients can receive a message. However, Canale does not teach that the sender can continue to restrict a message recipient's ability to forward the message to others.

Accordingly, the independent claims are allowable.

The dependent claims provide further reasons for allowance.

By way of example, dependent claims 10, 26 and 46 include an age restriction. Applicants respectfully submit the relied upon portion of Oliver is directed toward a "subscription expiration date" - not an age limit of the message as claimed.

Claims 11 and 27 specify that a timestamp indicates when a life of a message starts. There is nothing in either the relied upon portion of the reference nor any other portion of the cited references that teaches a timestamp indicating when a life of a message starts.
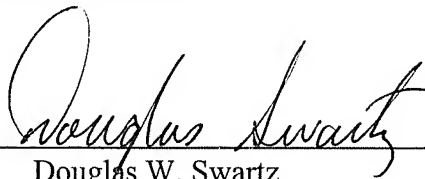
Claims 12, 28 and 48 state that the message includes the forwarding restriction and one of whether the message may be forwarded and to whom the message may be forwarded. In contrast, in Canale, it is the models that are determining forwarding, not a forwarding restriction ion the message itself.

Based upon the foregoing, Applicants believe that all pending claims are in condition for allowance and such disposition is respectfully requested. In the event that a telephone conversation would further prosecution and/or expedite allowance, the Examiner is invited to contact the undersigned.

Respectfully submitted,

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Date: April 4, 2007